

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re THE LEGACY ESTATE GROUP,
LLC,

Debtor.

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS,

Plaintiff,

v.

JOHN M. BRYAN, JOHN M. AND
FLORENCE E. BRYAN TRUST, J.M.
BRYAN FAMILY TRUST, KULWINDER
SIDHU, DEVINDER SIDHU, PACIFIC
PARAGON INVESTMENT FUND LTD, a
British Columbia company, HARRY CHEW,
and AIC CAPITAL PARTNERS, LLC, a
California limited liability company,

Defendants,

JOHN M. BRYAN, JOHN M. AND
FLORENCE BRYAN TRUST, J.M.
BRYAN FAMILY TRUST,

Defendants/Cross-Claimants,

KULWINDER SIDHU, DEVINDER SIDHU,
PACIFIC PARAGON INVESTMENT FUND
LTD, a British Columbia company, HARRY
CHEW, AIC CAPITAL PARTNERS, LLC, a
California limited liability company, and
LAMINAR DIRECT CAPITAL, L.P., a
Texas limited partnership,

Defendants/Cross-Defendants.

No. C 07-2943 PJH
Bankr. Case No. 05-14659 AJ
Adv. Case No. 06-1173 AJ


**ORDER RE: REPORT AND
RECOMMENDATION
ON MOTION TO WITHDRAW
BANKRUPTCY COURT'S
REFERENCE**

1 On May 24, 2007, defendants and cross-claimants John M. Bryan, John M. and
2 Florence E. Bryan Trust, and J.M. Family Trust, filed with the bankruptcy court a motion to
3 withdraw the reference to the bankruptcy court, pursuant to 28 U.S.C. § 157(d) and Federal
4 Rule of Bankruptcy Procedure ("FRBP") 5011. On June 6, 2007, the bankruptcy court
5 transmitted the motion to this court pursuant to Rule 5011. Upon transferring the motion,
6 the bankruptcy court did not provide any recommendation regarding whether its reference
7 should be withdrawn.

8 Because the bankruptcy court is more familiar with the underlying chapter 11
9 bankruptcy case filed in November 2005, and with the adversary case for which movants
10 seek withdrawal of the reference, pursuant to Bankruptcy L.R. 5011-2(b), the court refers
11 the instant motion to the bankruptcy court for a report and recommendation regarding
12 whether the reference should be withdrawn under 28 U.S.C. § 157(d), including but not
13 limited to whether the movant's right to a jury trial constitutes cause for withdrawal of the
14 reference. Once the bankruptcy court has submitted to this court its recommendation
15 regarding whether withdrawal of reference should occur, this court will set a further briefing
16 schedule, if necessary, and issue a final order on the motion pursuant to Rule 5011.

17 **IT IS SO ORDERED.**

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19 Dated: June 25, 2007

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22 PHYLLIS J. HAMILTON
23 United States District Judge

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25 Order transmitted to the Honorable Alan Jaroslovsky
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